FOR MYSORE STATE

DEI (1953) Department.

Pamphlet

MB SERIES.

G.O. NO. 1027.

Dated 5-3-53.

[Despatch Abstract.]

Mys - Mineral Concessions - Manganese - Bellary Dt - Sandur Tk - Tonsigeri R.F. Extd. 50.00 acres - Rules & Sri B. H Sowramanaraya and Sri M. Bheemappa of Bellary - orders passed

OFFICE OF THE DIRECTOR OF INDUSTRIES AND COMMERCE: MADRAS.

From
Sri M.T. Raju, Bar-at-Law, I.C.S.,
Director of Industries and Commerce,
Cathedral P.O. Madras 6.

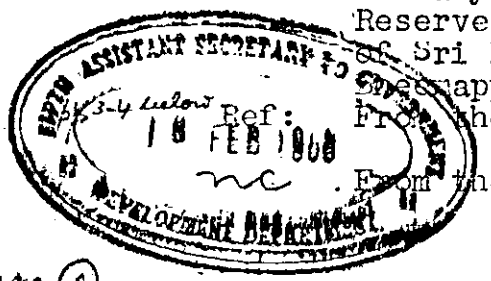
To
The Secretary to Government,
Development Department,
Fort St. George, Madras.

Ref. No. J/5585/52-2 dated 7-2-1953.

Sir,

Sub: Mining - Mineral concessions - Manganese - Bellary District - Sandur Taluk - Tonsigeri Reserve Forest - Extent 50 acres - applications of Sri B.H. Aswarthanarayana Singh and Sri Metri Bheemappa - report - submitted.

Dev 18955 J/53 18.2.53.



Ref: From the Collector of Bellary Roc. No. 10174/52/A.1 dated 15-12-1952.
From the Collector of Bellary Roc. No. 10174/52/A.12 dated 10-1-1952.

Two applicants, Sri B.H. Aswarthanarayana Singh of Bellary and Sri Metri Bheemappa of Bellary have applied for the grant of Mineral Concessions over the area in Tonsigeri Reserve Forest, Sandur Taluk. Sri B.H. Aswarthanarayana Singh has applied on 3-7-1952 for the grant of a prospecting licence for manganese over an extent of 50.00 acres in Tonsigeri Reserve Forest for a period of one year and has remitted the application fee of Rs.50/- on 3-7-1952. The application was received in the Collector's office on 3-7-1952 at 11-20 a.m. On the same day, another applicant Sri Metri Bheemappa of Bellary has also applied for the grant of a prospecting licence for the same mineral over an extent of 60.00 acres in the same area remitting Rs.50/- on 3-7-1952 towards application fee.

Subsequently on 29-10-1952 Sri B.H. Aswarthanarayana Singh has again applied for the grant of a mining lease for the same mineral in respect of the same area previously applied for by him on prospecting licence for a period of twenty years remitting Rs.200/- on 29-10-1952 towards application fee and Rs.50/- on the same date towards preliminary expenses. Sri B.H. Aswarthanarayana Singh has submitted an Income Tax Clearance Certificate and holds a Certificate of approval for the year 1952.

p.t.o.

The Collector of Bellary in his letter Roc. No. 10179/52/A2 dated 15-12-1952 (copy enclosed) has reported that the area applied for is an un-surveyed block of Tonsigeri Reserve Forest under the control of the Forest Department and that the District Forest Officer has no objection to the grant of the area on mineral concessions. With regard to the question of priority, the Collector has reported that according to rules 18 and 32 of the Mineral Concession Rules 1949, the priority vests with Sri B.H. Aswarthanarayana Singh as his was a prior application and has recommended the grant of a mining lease for manganese over an extent of 50 acres in the Tonsigeri Reserve Forest of Sandur Taluk to Sri B.H. Aswarthanarayana Singh for a period of twenty years subject to the ~~special~~ usual conditions.

In this connection it is submitted that Sri B.H. Aswarthanarayana Singh application for mining lease ranks subsequent to the application for prospecting licence of Sri Metri Bheemappa and as between these two the latter will have to be preferred so far as the grant of a mining lease is concerned. But since Sri B.H. Aswarthanarayana Singh has applied for a prospecting licence earlier than Bheemappa the former will be entitled to priority so far as the grant of a prospecting licence is concerned. I therefore suggest that a prospecting licence for manganese over an extent of 50 acres in the Tonsigeri Reserve Forest of Sandur Taluk be granted to Sri B.H. Aswarthanarayana Singh for a period of one year subject to the special conditions mentioned in rule 23 (2) of the Mineral Concession Rules 1949 and that his application for the grant of a mining lease over the same area, as also of Sri Metri Bheemappa for the grant of a prospecting licence over the same area be rejected.

The applications, chalans, sketches filed by the applicants and the Income Tax Clearance Certificate filed by Sri B.H. Aswarthanarayana Singh are submitted herewith.

for Director of Industries and Commerce.

sg.13.2.
Encls:

Copy of the letter Roc. No. 10174/52/A.1 dated 15-12-1952 from the Collector, Bellary addressed to the Secretary to Government, Development Department, Fort St. George, Madras through the Director of Industries and Commerce, Madras.

Sub: Mining - Mining lease - Sandur Taluk - Tonsigeri Reserve Forest - Extent 50.00 acres to mine manganese ore - application of Sri B.H. Aswarthanarayana Singh - proposals - submitted.

Sri B.H. Aswarthanarayana Singh of Bellary applied on 3-7-1952 for the grant of a prospecting licence for one year to prospect for and mine manganese ore over an extent of 50 acres in Tonsigeri Reserve Forest of Sandur Taluk after remitting the prescribed application fee of Rs.50/- in chalan No. 641 dated 3-7-1952. His application was received in this office on 3-7-1952 at 11-20 A.M.

On the same day i.e. on 3-7-1952 Sri Hetri Bheemappa of Bellary applied for the grant of a prospecting licence for three years to prospect for manganese ores over an extent of 60 acres in the same area after remitting the prescribed application fee of Rs.50/- in chalan No. 671 dated 3-7-1952. His application was received in this office on 3-7-1952 at 1-45 p.m.

But on 29-10-1952 Sri B.H. Aswarthanarayana Singh applied for a mining lease over an extent of 50 acres in the same area and for the same mineral applied forby him on prospecting licence on 3-7-1952. He remitted the application fee of Rs.200/- in chalan No. 145 dated 29-10-1952 and also Rs.50/- in chalan No. 146 dated 29-10-1952 towards preliminary expenses.

2. According to rules 18 and 32 of the Mineral Concession Rules 1949 priority is to be given to the application that is received first and, therefore Sri B.H. Aswarthanarayana Singh gets priority right over the plot of 50 acres. The application of Sri Hetri Bheemappa stands second in priority. His application, the chalan for Rs.50/- and a copy of the sketch submitted by him are enclosed.

p.t.o.

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The Tahsildar, Sandur reports that the area applied for by Sri B.H. Aswarthanarayana Singh is in an unsurveyed block of the Tonsigeri Reserve Forest and is under the control of the Forest Department. The Forest Range Officer, Kudligi reports that the area in question contains an average type of tree growth; the yield of which is estimated to be 4 tons per acre. The area is reported to be not covered by any other mining lease or prospecting licence and it does not contain lime stones. The Tahsildar, Sandur and the District Forest Officer, Bellary have no objection to the grant of the area for mining operations.

The applicant Sri B.H. Aswarthanarayana Singh possesses a valid certificate of approval issued in Government Memorandum No. 460 dated 19-5-1952 and he has produced an Income Tax Clearance Certificate issued by the Income Tax Officer, Bellary.

In the circumstances, I recommend that the mining lease applied for for a period of twenty years to prospect for and mine manganese over an extent of 50 acres in the Tonsigeri Reserve Forest of Sandur Taluk may be granted to Sri B.H. Aswarthanarayana Singh subject to the usual conditions.

His ~~application for~~ prospecting licence and mining lease applications, the three chalans a copy of the sketch showing the area applied for and an Income Tax clearance certificate produced by the applicant are enclosed.

Sd/- xx
for Collector.

/ true copy /

Conditions to be imposed in a Prospecting Licence with reference to rule 23(2) of the Mineral Concessions rules 1949.

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1. the licensee should keep the stocks of beryl or any other prescribed substance under Sec.3 of the Atomic Energy Act No.XXIX of 1948 if they occur in the property ~~owner~~ covered by the licence with a view to making them available to the Government of India.

2. the licensee shall pay the royalties due to the Government into any Government treasury half-yearly on the first June and the first December every year. He shall pay the prospecting fee prescribed before the licence is issued to him.

3. the licensee shall pay reasonable compensation for all damages any injury which may be caused by him in the exercise of any of the powers conferred by the licence.

4. the licensee shall indemnify the Government of Madras against all claims and suits which may be made or brought by any person in respect of any damage injury or disturbance caused by the licensee.

5. the licensee shall not cut or injure any timber or tree without the written permission of the Collector or of any officer appointed in their behalf

6. the licnesee shall not work or carry on any operations in or under the lands covered by the licence at or to any point within a distance of 50 yards from any railway reservoir, canal or other public work or any building or inhabited site shown on the plan that will be annexed with the licence date except with the previous permissionin writing of the Government or some officer authorised by him in that behalf or otherwise than in accordance with such instructions and conditions either general or special which may be attached to such permission. The said distance of 50 yards shall be measured in the case of a railway reservoir or canal horizantally from the outer toe of the bank or the outer edge of the cutting as the case may be and in the case of building horizontally from the plinth thereof. For the purpose of this clause the expression 'Railway' shall leave the same meaning as in the Indian Railway Act 1890.

7.a. the licensee shall not enter upon or commence prospecting in any reserve forest situated upon the said lands without thirty days previous notice in writing to the District Forest Officer, nor without obtaining the written sanction of that officer nor otherwise than in accordance with such condition as that officer may in his absolute ~~direction~~ discretion prescribe.

b. the area without the reserved forest limits must be demareatee by a declared fire line of 40 feet wide which will be cut and kept cleared by the Forest Department at the expense of the licensee.

c. the licensee must at all times permit the Forest Department to enter upon the land for the purpose of maintaining or repairing existing boundry lines within the area and must pay the cost of such maintenance or repair as determined by the district Forest Officer.

d. the licensee must take suitable precautions to prevent fire from spreading into the adjoining reserve forest ~~render~~ render all possible assistance in putting them out.

from the land etc. if such fires accidently occur he must

P.T.O.

c, the licensee shall not cut any ~~trees~~ trees or growth on the area granted in excess of 20 percent of the number of trees on the whole area under the licence without the previous permission of the District Forest Officer and the value of such trees, etc. shall be paid for by the licensee at rates to be fixed by the District Forest officer. He must not deface or interfere with any boundary stone or marks; if any boundary mark is accidentally damaged, he must bring the matter immediately to the notice of the Range officer.

8. If any buildings, plants, engines, machinery, implements or other property are not removed by the licensee within one month and are left over after determination of the licence, they shall be deemed to become the property of the Government and may be sold or disposed of in such a manner as the Government shall deem fit without liability to pay any compensation in respect of them.

9. In the event of the existence of a State of war or grave national emergency of which the Government will be the sole judge, the Government after due notice in writing of their intention to do so, may forthwith take possession or assume control of the works, plant and machinery on the mining operations after payment of a fair compensation.

true copy)

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7/3

Dev(J) 7

Sub:- Mines. Mineral Concessions - Manganese - Bellary district - Sandur Taluk - Tonsigeri RF. Ext. 50.00 acres. Applications of Sri B. H. Aswathanarayana Singh of Bellary and Sri Metri Bheemappa of Bellary - orders passed

Ref:- From the Collector of Bellary No. Rc 10174/B/54 Dated 15.12.52.
From the Dde No J/5585/52.2 dt 7.2.53.

G.O. Ms No. 1027 Development 5.3.53

Sri B. H. Aswathanarayana Singh of Bellary has applied for the grant of a prospecting licence for manganese ore an extent of 50.00 acres in Tonsigeri R.F.

Plans and despatched with ends
6/3/53

2 b/

Sandur Taluk, Bellary Dt. Sri Metri Bheemappa of Bellary has also applied for the grant of a prospecting license for the same mineral over the same area. Of these two applications, that of Sri B. H. Aswatha narayana Singh of Bellary was received first, and it should therefore be preferred according to the rules. The application of Sri Metri Bheemappa of Bellary is therefore rejected and the amount of Rs. 50/- (Rupees fifty only.) remitted by him towards the application fee shall be refunded.

P 1 9 (A)

P 1 9 (A)

P 5 9 (A)

P. T. O

1,002—18-6-52.

GOVERNMENT OF MADRAS.

ABSTRACT.

MINES—Prospecting licence (district) Taluk S. Nos. village—Application of Granted.

DEVELOPMENT DEPARTMENT.

G.O. Ms. No. , dated the 195

READ:—the following:—

From the Director of Industries and Commerce, letter No. , dated

ORDER:

2. In exercise of the powers conferred by rule 17 of the Mineral Concession Rules, 1949, the Government sanction the grant to Sri B. H. Sivathanarayana Singh of Bellary of a prospecting licence for manganese for a period of one/~~two~~ years over an extent of 50.00 acres ~~in S. No.~~ in Tonsigeri R.F. ~~village~~ Sandur Taluk Bellary district subject to the conditions mentioned in sub-rule (1) of rule 23 of the Mineral Concession Rules, 1949, and also the conditions specified in the appendix to this order.

3 ~~2~~. The rate of prospecting fee will be eight annas per acre of the land covered by the licence for each year or portion of a year.

4 ~~3~~. The applicant should depsosit as security a sum of Rs. 100, as prescribed in rule 19 of the Mineral Concession Rules, 1949, before the licence is actually executed.

5 ~~4~~. The terms and conditions stated in this order are subject to such further modifications, additions and alterations as may be incorporated in the licence deed before it is executed.

6 ~~5~~. The Collector of Bellary is requested to take necessary further action for the execution of the licence deed. As soon as the licence deed is executed, the date of such execution should be reported to the Government and the Director of Industries and Commerce.

7 ~~6~~. The Collector of Bellary is also requested to satisfy himself before the execution of the deed that the applicant holds a valid Certificate of approval for 1953.

~~(By order of the Governor)~~

4/3/53 ~~Secretary to Government.~~

To the ~~Director~~ of Industries and Commerce (with A in orgl)
" ~~the~~ Collector of Bellary
" Sri B. H. Sivathanarayana Singh
Sree Satyanarayana Motor Works
Goldsmith St. P Bruce pet, Bellary
Sri Metri Bheemappa (~~True~~ copy/By order)
B'lore Road, Bellary (with para one only)

Superintendent.

4 10

Appendix.

(1) The licensee should keep the stocks of Beryl or any other "prescribed substance" as defined in section 3 of the Atomic Energy Act, 1948 (Central Act XXIX of 1948), if they occur in the property covered by the licence with a view to making them available to the Government of India;

(2) the licensee shall pay the royalties due to the Government in to any Government treasury half-yearly on the first June and first December every year: he shall also pay the prospecting fee prescribed before the licence is issued to him;

(3) the licensee shall pay reasonable compensation for all damages and injury which may be caused by him in the exercise of any of the powers conferred by the licence;

(4) the licensee shall indemnify the Government of Madras against all claims and suits which may be made or brought by any person in respect of any damage injury or disturbance caused by the licensee;

(5) the licensee shall not cut or injure any timber or tree without the written permission of the Collector or of any officer appointed by him in this behalf;

(6) the licensee shall not work or carry on any operation in or under the lands covered by the licence at or to any point within a distance of 50 yards from any railway reservoir, canal or other public work or any building or inhabited site except with the previous permission in writing of the Governor or some officer authorized by him in that behalf or otherwise than in accordance with such instructions and conditions either general or special which may be attached to such permission; the said distance of 50 yards shall be measured in the case of a railway reservoir or canal horizontally from the outer toe of the bank or the outer edge of the cutting as the case may be and in the case of a building horizontally from the plinth thereof.

For the purpose of this clause the expression 'Railway, shall have the same meaning as in the Indian Railway Act, 1890; (7)(a) the licensee shall not enter upon or commence prospecting in any reserve forest situate upon the said lands without thirty days previous notice in writing to the District Forest Officer nor without obtaining the written sanction of that officer nor otherwise than in accordance with such condition as that officer may in his absolute discretion prescribe;

(b) the area within the reserved forest limits must be demarcated by a declared fire line of 40 feet wide which will be cut and kept cleared by the Forest Department at the expense of the licensee;

(c) the licensee must at all times permit the Forest Department to enter upon the land for the purpose of maintaining or repairing existing boundary lines within the area and must pay the cost of such maintenance or repair as determined by the District Forest Officer;

(d) the licensee must take suitable precautions to prevent fires from spreading into the adjoining reserve forest from the land and if such fires accidentally occur he must render all possible assistance in putting them out;

(e) the licensee shall not cut any trees or growth on the area granted in excess of 20 per cent of the number of trees on the whole area under the licence without the previous permission of the District Forest Officer and the value of such trees, etc., shall be paid for by the licensee at rates to be fixed by the District Forest Officer; he must not deface or interfere with any boundary stone or marks; if any boundary mark is accidentally damaged, he must bring the matter immediately to the notice of the Range Officer;

(8) if any buildings, plants, engines, machinery, implements or other property are not removed by the licensee within one month and are left over after determination of the licence, they shall be deemed to become the property of the Government and may be sold or disposed of in such manner as the Government shall deem fit without liability to pay any compensation in respect of them; and

(9) in the event of the existence of a state of war or grave national emergency of which the Government will be the sole judge the Government after due notice in writing of their intention to do so, may forth with take possession or assume control of the works, plant and machinery and the mining operations, after payment of a fair compensation.

2/8/53

3-3-53

(True copy)/(By order)

Superintendent.

11

Collector's Office, Bellary
Dated: 17.3.53.

Roc.No. 10174/52 A12.

From

Srt D.R. Sundaram, I.A.S.,
Collector, Bellary

To

The Secretary to Government,
Development Department,
Fort St. George, Madras.

Sir,

Sub:- Mining --M.L. - Sandur Taluk - Gonsigeri Reserve Forest - Extent 50 acres to mine Manganese ore -- application of Sri B.H. Aswarthanarayana Singh -- submitted - P.L. granted by the Government - further report submitted.

Ref: This office Roc. No.10174/52 A1 dated 15.12.52.
(2) G.O.Ms.No. 1027 Dev. Dept. dated 5.3.53.

In this office reference cited above the Government were requested to sanction the grant of a mining lease to the applicant, Sri B.H. Aswarthanarayana Singh of Bellary for a period of 20 years to prospect for and mine manganese ore over an extent of 50 acres in Gonsigeri Reserve Forest of Sandur Taluk.

2. But the Government in their order cited above have sanctioned the grant of a prospecting licence to the applicant for a period of one year instead of a mining lease applied for, for twenty years. I, therefore, request that the applicant may be granted a mining lease as reported in this office reference cited above.

For Collector.

Pbr.18.3.53

46/2813

Development (I) Dept.

Memo No. 33213 I/53-1 Dt. 27.3.53

Mines – M.L. (Bellary) – Sandur TK – Tonsigeri R.F – Extt 50 acres – Application of Sri B.H. Aswarthanarayana Singh – P.L. granted in G.O No. 1027 dtd 5.3.53.

Ref:– From the Coll. of Bellary Roc No. 10174/52 A.12 dt 17.3.53

The attention of the Collector of Bellary is invited to letter No. I/55852/52-2 dated 7.2.53 from the Dtee. (copy enclosed) and he is informed that in view of the position explained therein, no modification of the orders issued in G.O No. 1027 dtd 5.3.53 is considered necessary.

25.3.53

25/3/53

To
The Coll. of Bellary (WE)

P.T.O.

~~14~~

3321/53

A.S

The letter from the Collr. of Bellary at pp1-4 of may be perused

W.r.t A on p.1 of it is submitted that the orders issued in G.O No 1027 dt 5.3.53 were based on the suggestion of the Dire at M mp 2 of 8 (H) pp1-4 of

In the circumstances, a copy of the letter from the Dire at pp1-2 of (H) may be communicated to the Collr. and he may be informed that in view of the position explained therein, no modification of the orders already passed is considered necessary ▸ Vide M mp 2 of

Subject to orders, a draft Memo is submitted on p.1 ante for approval

25/3/53

25/3/53

25-3-53

Dhno' JO

26/3/53

26/3/53

Revenue Department

C No. 18955 J/53.

Sub: Mines – Mineral Concessions – Manganese – Bellary District Sandur Taluk – Tonsigeri R.F. – Ext. 50 acres – Applications of Sri B. H. Aswarthanarayana Singh of Bellary and Sri Metri Bheemappa of Bellary.

Ref: From the Director of Industries & Commerce No. J/5583/52-2 dated 7-2-1953

The case relates to the grant of mineral Concession for manganese over an extent of 50.00 acres in Tonsigeri R.F., Sandur Tk., Bellary Dt.

The following are the ~~Candidates~~ applicants for the above area:–

1. Sri B. H. Aswarthanarayana Singh, Bellary.
2. Sri Metri Beemappa, Bellary.

Sri B. H. Aswarthanarayana Singh, Bellary has applied for the grant of a prospecting licence for manganese on 3.7.52 at 11.20 A.M. He has again applied for the grant of a mining lease for the same mineral on 29.10.52. Sri Metri Beemappa has also applied for the grant of a prospecting licence for the same mineral over the same area on 3.7.52 at 11.45 P.M.

The Collector of Bellary has reported that the area applied for is an unsurveyed block of Tonsigeri R.F. under the Control of the Forest Department, that the D.F.O. has no objection to the grant of ~~a prospecting licence~~ the area on mineral Concession and that as the priority rests with Sri B. H. Aswarthanarayana Singh he has recommended the grant of a mining lease for manganese over an extent of 50.00 acres in the Tonsigeri R.F. of Sandur Tk to Sri B. H. Aswarthanarayana Singh for a period of twenty years subject to the usual Conditions.

The Director has stated that the application of Sri B. H. Aswarthanarayana Singh for mining lease ranks subsequent to the application for prospecting license of Sri M. Bheemappa and that as between these two, the latter will have to be preferred so far as the grant of a mining lease is concerned and that though Sri B. H. Aswarthanarayana Singh has applied for a prospecting licence earlier than Sri M. Bheemappa the former will be entitled to priority so far as the grant of a prospecting

(MW 1353 '52)

11/2/53

licence. He has therefore suggested that a prospecting licence for manganese ore over an extent of 50.00 acres in the Tonbigeri R.F. of Sandur Taluk may be granted to Sri B.H. Aswathanarayana Singh of Bellary for a period of one year subject to the usual conditions on pp 5-6 Cr. and that his application for the grant of a mining lease over the same area, as also of Sri M. Bheemappa for the grant of a prospecting licence over the same area may be rejected. In the circumstances it is for orders whether the suggestions of the DSIG at 'A' above will be accepted.

A

If Sri Aswathanarayana Singh gets a p.l., he will have a right to a m.l. — vide rule 24 of My. M. Rules

K/25/2/53

25/2/53 DS(I:91:)

26.2.53

may agree to A above

Yes- Agreed to 'A' above 26.2.53

27/2/53 M.(I&L)

To A.

BWC J2

With reference to orders above a draft order is submitted for approval.

K/4/3/53

2/3/53 3.3.53

SECRETARIAT
27 FEB 1953
DEPUTY SECRETARY TO GOVT.
2 MAR 1953
DEVELOPMENT

To b.

Necessary entries have been made in the Plan in the P.L. Register of the Madras (proposed Separate Register for the Districts which are to comprise the Residuary State, against item no 2. The draft order below may now issue.

K/6/3/53

5/3/53 6.3.53